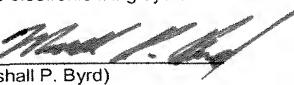


I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: November 17, 2008

Signature:   
(Marshall P. Byrd)

Docket No.: 31127/43656C  
(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Miles W. Carroll et al.

Application No.: 10/774,176

Confirmation No.: 7186

Filed: February 6, 2004

Art Unit: 1644

For: POLYPEPTIDE

Examiner: Marianne DiBrino, Ph.D.

### **AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

#### **INTRODUCTORY COMMENTS**

This paper is filed in response to the Notice of Non-Compliant Amendment dated October 17, 2008, and is timely filed within one month of the mailing date of the Notice. Should any additional fees be deemed necessary, the Commissioner is authorized to charge any such fees to our Deposit Account No. 13-2855, under order no. 31127/43656C. Please amend the above-identified U.S. patent application as follows:

**Amendments to the Specification:** none.

**Amendments to the Claims** are reflected in the replacement listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 4 of this paper.